



General Assembly

January Session, 2005

***Raised Bill No. 1362***

LCO No. 5065

\*05065\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT REQUIRING DISCLOSURE OF LIABILITY INSURANCE  
POLICY LIMITS PRIOR TO THE FILING OF A CLAIM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2005, and applicable to requests*  
2       *for disclosure made on or after said date*) (a) Not later than fourteen days  
3       after an insurer receives a written request by, or on behalf of, an  
4       individual that alleges the individual has suffered bodily injury or  
5       death caused by a person insured by the insurer, the insurer shall  
6       provide written disclosure of the insured's insurance policy limits to  
7       the person making the request. The disclosure shall be provided in  
8       accordance with subsection (c) of this section.

9       (b) Each written request for disclosure shall be accompanied by a  
10      letter from an attorney-at-law admitted to practice in this state or an  
11      affidavit that sets forth: (1) The type of claim alleged against the  
12      insured; (2) the date and approximate time of the alleged incident that  
13      gave rise to the request for disclosure; and (3) a general description of  
14      the injuries alleged to have been caused by the insured. An attorney-at-  
15      law who submits a letter requesting disclosure pursuant to this section  
16      shall include the attorney's juris number in the letter. The contents of

17 any letter or affidavit requesting disclosure of insurance policy limits  
18 pursuant to this section shall not be admissible in evidence in any civil  
19 action involving the injury or death that gave rise to the request for  
20 disclosure.

21 (c) The disclosure provided by the insurer shall (1) indicate all  
22 coverage provided by the insurer to the insured, including, but not  
23 limited to, any applicable umbrella or excess liability insurance issued  
24 by the insurer, and (2) include copies of applicable declaration pages  
25 or similar materials that reflect the insurance coverage provided by the  
26 insurer to the insured.

27 (d) The requirements of this section shall only apply to an insurer  
28 with respect to a policy that insures against loss or damage on account  
29 of the bodily injury or death of any person.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005, and applicable to requests for disclosure made on or after said date</i>	New section

***Statement of Purpose:***

To allow injured parties to obtain information about a tortfeasor's liability insurance policy limits without being required to file an action in court and subsequently seek discovery of such information.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*